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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/048,033	
	Filing Date	November 27, 2002	
	First Named Inventor	H. Michael SHEPARD	
	Art Unit	1615	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	25	Attorney Docket Number	NB 2006.01

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08a (5 pages), Form PTO/SB/08b (15 pages), 249 references, postcard receipt		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Antoinette F. Konski Bingham McCutchen LLP
Signature	
Date	January 11, 2005

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Mary R. Zimmerman		
Signature		Date	January 11, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Docket No. NB 2006.01

CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date listed below.

Dated: January 11, 2005

Mary K. Zimmerman
Mary K. Zimmerman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

H. Michael SHEPARD

Serial No.: 10/048,033

Filing Date: November 27, 2002

For: METHODS FOR TREATING
THERAPY-RESISTANT TUMORS

Examiner: Not Yet Assigned

Group Art Unit: 1615

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified on the attached forms PTO/SB/08a and PTO/SB/08b are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make these documents of record. Copies of the documents are being attached hereto. The Examiner is requested to make these documents of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☒ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☐ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information

Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No.[50-2518] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached forms PTO/SB/08a and PTO/SB/08b are enclosed.
- ☐ Copies of only the following items listed on the attached forms PTO/SB/08a and PTO/SB/08b are enclosed:
- ☐ Copies of all other items not listed above and listed in the attached forms PTO/SB/08a and PTO/SB/08b are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. *, filed * and relied upon in this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☒ A concise explanation of relevance of the items listed on forms PTO/SB/08a and PTO/SB/08b is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on forms PTO/SB/08a and PTO/SB/08b is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- ☐ Applicants bring to the Office's attention the following related, co-pending application(s):

V. Conclusion:

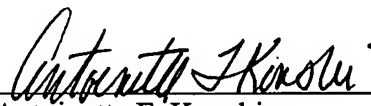
Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached forms PTO/SB/08a and PTO/SB/08b with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 7008282002 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,

Dated: January 11, 2005

By: 
Antoinette F. Konski
Registration No. 34,202

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Telephone: (650) 849-4950
Facsimile: (650) 849-4800

Substitute for form 1449A-PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 5

Complete if Known

Application Number	10/048,033
Filing Date	November 27, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

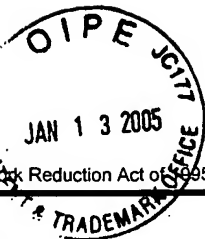
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	1	DE 32 29 169 A1	02-09-84	De Clercq et al.		
	2	EP 0 311 107 A2	04-12-89	Stichting REGA VZW		
	3	EP 0 311 108 A2	04-12-89	Stichting REGA VZW		
	4	EP 0 316 592	05-24-89	Stichting REGA VZW		
	5	GB 982 776	02-10-65	The Wellcome Foundation		
	6	RO 88451	01-30-86	Antibiotics Enterprise, Iasi		X
	7	WO 89/05817	06-29-89	Nucleic Acid Research Institute		
	8	WO 90/03978	04-19-90	Stichting REGA VZW		
	9	WO 91/17424	11-14-91	Vical, Inc.		
	10	WO 92/19767	11-12-92	Terrapin Technologies, Inc.		
	11	WO 93/06120	04-01-93	University of Rochester		

Examiner's
SignatureDate
Considered

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 5

Complete if Known

Application Number	10/048,033
Filing Date	November 27, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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FOREIGN PATENT DOCUMENTS

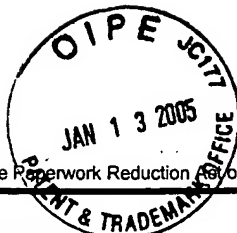
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	12	WO 94/03467	02-17-94	Institute of Organic Chemistry & Biochemistry of the Academy of Sciences of the Czech Republic, et al.		
	13	WO 94/22483	10-13-94	Kozak, Alexander		
	14	WO 95/01806	01-19-95	Kondratyev, A.		
	15	WO 95/08556	03-30-95	Amersham International, Inc.		
	16	WO 95/12678	05-11-95	Connors, T. et al.		
	17	WO 96/03151	02-08-96	Springer et al.		
	18	WO 96/07413	04-04-96	University of Georgia Research Foundation & Yale University		

Examiner's
SignatureDate
Considered

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Sheet 3 of 5

Complete if Known

Application Number	10/048,033
Filing Date	November 27, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
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FOREIGN PATENT DOCUMENTS

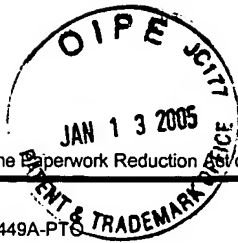
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)				
	19	WO 96/10030	04-04-96	Isis Pharmaceuticals, Inc.		
	20	WO 96/29336	09-26-96	Medical Research Council, University College Cardiff Consultants, Inc. Rega Foundation		
	21	WO 96/33168	10-24-96	Kumiai Chemical Industry Co Ltd et al.		
	22	WO 96/40088	12-19-96	Hostetter, Karl Y.		
	23	WO 96/40708	12-19-96	La Jolla Pharmaceuticals, Inc.		
	24	WO 96/40739	12-19-96	Terrapin Technologies, Inc.		
	25	WO 97/25342	07-17-97	Terrapin Technologies, Inc.		

Examiner's
SignatureDate
Considered

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**INFORMATION DISCLOSURE
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(use as many sheets as necessary)

Sheet 4 of 5

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Application Number	10/048,033
Filing Date	November 27, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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FOREIGN PATENT DOCUMENTS

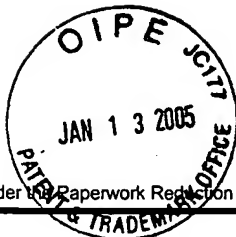
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)	Publication Date MM-DD-YY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	26	WO 97/28179	08-07-97	Fick, James & Israel, Mark		
	27	WO 97/49717	12-31-97	Balzarini et al.		
	28	WO 98/49177	11-05-98	University College Cardiff Consultants Limited		
	29	WO 99/06072	02-11-99	Boehringer Mannheim Corp.		
	30	WO 99/20741	04-29-99	Geron Corporation		
	31	WO 99/23104	05-14-99	The Government of the United States of America represented by The Secretary of Health & Human Services		

Examiner's
SignatureDate
Considered

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Sheet 5 of 5

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First Named Inventor	H. Michael SHEPARD
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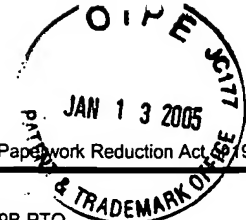
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	32	WO 99/37753	07-29-99	NewBiotics, Inc.		
	33	WO 00/18775	04-06-00	University College Cardiff Consultants Limited and Rega Foundation		
	34	WO 00/33888	06-15-00	Dubois, V. et al.		
	35	WO 01/07088	02-01-01	NewBiotics, Inc.		
	36	WO 01/83501	11-08-01	University College Cardiff Consultants Limited and Rega Foundation		
	37	WO 01/85749	11-15-01	University College Cardiff Consultants Limited and Rega Foundation		

Examiner's
SignatureDate
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 15

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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	1	ABRAHAM et al. "Synthesis and biological activity of aromatic amino acid phosphoramidates of 5-fluoro-2'-deoxyuridine and 1-β-arabinofuranosylcytosine: Evidence of phosphoramidase activity" <i>J. Med. Chem.</i> (1996) 39 :4569-4575	
	2	AKDAS et al. "Glutathione S-transferase and multidrug-resistant phenotype in transitional cell carcinoma of the bladder" <i>Eur. Urol.</i> (1996) 29 (4):483-486	
	3	ALMASAN et al. "Genetic instability as a consequence of inappropriate entry into and progression through S-phase" <i>Cancer Metast. Rev.</i> (1995) 14 :59-73	
	4	ANDERSEN et al. "Detection of C-ERBB-2 related protein in sera from breast cancer patients" <i>Acta Oncol.</i> (1995) 34 (4):499-504	
	5	ANGLADA et al. "N,N'-cyclization of carbodiimides with 2-(bromomethyl)acrylic acid. A direct entry to the system 5-methylene-6H-pyrimidine-2,4-dione, A new class of thymine analogues" <i>J. Heterocyclic Chem.</i> (July-Aug. 1996) 33 :1259-1270	
	6	ANTELMAN et al. "Inhibition of tumor cell proliferation in vitro and in vivo by exogenous p110 ^{RB} , the retinoblastoma tumor suppressor protein" <i>Oncogene</i> (1995) 10 :697-704	
	7	ASAKURA and ROBINS, "Cerium(IV) catalyzed iodination at C5 of uracil nucleosides" <i>Tetrahedron Lett.</i> (1988) 29 (23):2855-2858	
	8	ASAKURA and ROBINS "Cerium(IV)-mediated halogenation at C-5 of uracil derivatives" <i>J. Org. Chem.</i> (1990) 55 :4928-4933	
	9	AYISI et al. "Comparison of the antiviral effects of 5-methoxymethyldeoxyuridine-5'-monophosphate with adenine arabinoside-5'-monophosphate" <i>Antivir. Res.</i> (1983) 3 :161-174	
	10	BAGSHAWE "Antibody-directed enzyme prodrug therapy: A review", <i>Drug Develop. Res.</i> (1995) 34 (2):220-230	
	11	BAJETTA et al. "A pilot safety study of capecitabine, a new oral fluoropyrimidine, in patients with advanced neoplastic disease" <i>Tumori</i> (1996) 82 :450-452	
	12	BALZARINI et al. "Incorporation of 5-substituted pyrimidine nucleoside analogues into DNA of a thymidylate synthetase-deficient murine FM3A carcinoma cell line" <i>Meth. Find. Exp. Clin. Pharmacol.</i> (1985) 7 (1):19-28	
	13	BALZARINI et al. "Thymidylate synthase is the principal target enzyme for the cytostatic activity of (E)-5-(2-bromovinyl)-2'-deoxyuridine against murine mammary carcinoma (FM3A) cells transformed with the herpes simplex virus type 1 or type 2 thymidine kinase gene" <i>Mol. Pharmacol.</i> (1987) 32 :410-416	

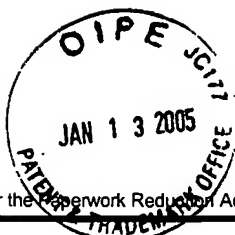
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Sheet 2 of 15

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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	14	BALZARINI et al. "Differential mechanism of cytostatic effect of (E)-5-(2-bromovinyl)-2'-deoxyuridine, 9-(1,3-dihydroxy-2-propoxymethyl)guanine, and other antiherpetic drugs on tumor cells transfected by the thymidine kinase gene of herpes simplex virus type 1 or type 2" <i>J. Biol. Chem.</i> (1993) 268(9) :6332-6337	
	15	BALZARINI et al. "Anti-HIV and anti-HBV activity and resistance profile of 2',3'-dideoxy-3'-thiacytidine (3TC) and its arylphosphoramidate derivative CF 1109" <i>Biochem. Biophys. Res. Co.</i> (1996) 225 :363-369	
	16	BALZARINI et al. "Conversion of 2',3'-dideoxyadenosine (ddA) and 2',3'-dideoxy-2',3'-dideoxyadenosine (d4A) to their corresponding arylphosphoramidate derivatives markedly potentiates their activity against human immunodeficiency virus and hepatitis B virus" <i>FEBS Lett.</i> (1997) 410 :324-328	
	17	BANERJEE et al. "Molecular mechanisms of resistance to antifolates, a review" <i>Acta Biochim. Pol.</i> (1995) 42(4) :457-464	
	18	BANERJEE et al. "Role of E2F-1 in chemosensitivity" <i>Cancer Res.</i> (Oct. 1, 1998) 58 :4292-4296	
	19	BARBATO, et al. "Synthesis of bridged pyrimidine nucleosides and triazo [4,3-c] pyrimidine nucleoside analogues" <i>Nucleos. Nucleot.</i> (1991) 10(4) :853-866	
	20	BARBOUR et al. "A naturally occurring tyrosine to histidine replacement at residue 33 of human thymidylate synthase confers resistance to 5-fluoro-2'-deoxyuridine in mammalian and bacterial cells" <i>Mol. Pharmacol.</i> (1992) 42 :242-248	
	21	BARR "Inhibition of thymidylate synthetase by 5-alkynyl-2'-deoxyuridylates" <i>J. Med. Chem.</i> (1981) 24(12) :1385-1388	
	22	BARR et al. "Thymidylate synthetase-catalyzed conversions of E-5-(2-bromovinyl)-2'-deoxyuridylate" <i>J. Biol. Chem.</i> (1983) 258(22) :13627-13631	
	23	BARR et al. "Reaction of 5-ethynyl-2'-deoxyuridylate with thiols and thymidylate synthetase" <i>Biochemistry</i> (1983) 22 :1696-1703	
	24	BARRETT "Trapping of the C5 methylene intermediate in thymidylate synthase" <i>J. Am. Chem. Soc.</i> (1998) 120 :449-450	
	25	BENZARIA et al. "Synthesis, <i>in vitro</i> antiviral evaluation, and stability studies of bis(S-acyl-2-thioethyl) ester derivatives of 9-[2-(phosphonomethoxy)ethyl]adenine (PMEA) as potential PMEA prodrugs with improved oral bioavailability" <i>J. Med. Chem.</i> (1996) 39 :4958-4965	

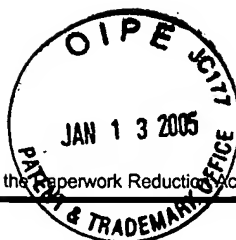
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Application Number

10/048,033

Filing Date

November 28, 2002

First Named Inventor

H. Michael SHEPARD

Art Unit

1615

Examiner Name

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	26	BERGSTROM et al. "C-5-substituted pyrimidine nucleosides. 3. Reaction of allylic chlorides, alcohols, and acetates with pyrimidine nucleoside derived organopalladium intermediates" <i>J. Org. Chem.</i> (1981) 46(7) :1432-1441	
	27	BERGSTROM et al. "Synthesis of (E)-5-(3,3,3-trifluoro-1-propenyl)-2'-deoxyuridine and related analogues: Potent and unusually selective antiviral activity of (E)-5-(3,3,3-trifluoro-1-propenyl)-2'-deoxyuridine against herpes simplex virus type 1" <i>J. Med. Chem.</i> (1984) 27 :279-284	
	28	BERKOW et al. (eds), <i>The Merck Manual of Diagnosis and Therapy</i> , 16th Edition, Merck & Co., Rahway, NJ, (May 1992) only page 1278 supplied	
	29	BERTINO et al. "Resistance mechanisms to methotrexate in tumors" <i>Stem Cells</i> (1996) 14 :5-9	
	30	BIGGE et al. "Palladium-catalyzed coupling reactions of uracil nucleosides and nucleotides" <i>J. Amer. Chem. Soc.</i> (Mar. 12, 1980) 102(6) :2033-2038	
	31	BLACKLEDGE "New developments in cancer treatment with the novel thymidylate synthase inhibitor raltitrexed ('Tomudex')" <i>British J. Cancer</i> (1998) 77(Supp 2) :29-37	
	32	BOSSLET et al. "A novel one-step tumor-selective prodrug activation system" <i>Tumor Targeting</i> (1995) 1 :45-50	
	33	BOSSLET et al. "Elucidation of the mechanism enabling tumor selective prodrug monotherapy" <i>Cancer Res.</i> (Mar 15, 1998) 58 :1195-1201	
	34	BRISON "Gene amplification and tumor progression" <i>Biochim. Biophys. Acta</i> (1993) 1155 :25-41	
	35	CARL et al. "Protease-activated 'prodrugs' for cancer chemotherapy" <i>PNAS USA</i> (April 1980) 77(4) :2224-2228	
	36	CARRERAS and SANTI "The catalytic mechanism and structure of thymidylate synthase" <i>Annu. Rev. Biochem.</i> (1995) 64 :721-762	
	37	CARTER et al. "Humanization of an anti-p185 ^{HER2} antibody for human cancer therapy" <i>PNAS USA</i> (May 1992) 89 :4285-4289	
	38	CAVA and LEVINSON "Thionation reactions of Lawesson's reagents" <i>Tetrahedron</i> (1985) 41(22) :5061-5087	
	39	CHAKRAVARTY et al. "Plasmin-activated prodrugs for cancer chemotherapy. 2. Synthesis and biological activity of peptidyl derivatives of doxorubicin" <i>J. Med. Chem.</i> (1983) 26(5) :638-644	
	40	CHAUDHURI and KOOL "Very high affinity DNA recognition by bicyclic and cross-linked oligonucleotides" <i>J. Am. Chem. Soc.</i> (1995) 117 :10434-10442	

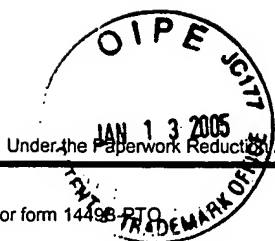
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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
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NON PATENT LITERATURE DOCUMENTS

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	41	CHEN et al. "Sensitization of human breast cancer cells to cyclophosphamide and ifosfamide by transfer of a liver cytochrome P450 gene" <i>Cancer Res.</i> (Mar. 15, 1996) 56 :1331-1340	
	42	CHO and JOHNSON "(E)-5-(3-oxopropen-1-yl)-2'-deoxyuridine and (E)-5-(3-oxopropen-1-yl)-2',3'-dideoxyuridine; New antiviral agents: Synthesis and biological activity" <i>Tetrahedron Lett.</i> (1994) 35 (8):1149-1152	
	43	CLARKE "Animal models of breast cancer: Their diversity and role in biomedical research" <i>Breast Cancer Res. Tr.</i> (1996) 39 :1-6	
	44	CODERRE et al. "Mechanism of action of 2',5-difluoro-1-arabinosyluracil" <i>J. Med. Chem.</i> (1983) 26 (8):1149-1152	
	45	COLACINO "Mechanisms for the anti-hepatitis B virus activity and mitochondrial toxicity of fialuridine (FIAU)" <i>Antivir. Res.</i> (1996) 29 :125-139	
	46	COLLINS et al. "Suicide prodrugs activated by Thymidylate synthase: Rationale for treatment and noninvasive imaging of tumors with deoxyuridine analogues" <i>Clin. Cancer Res.</i> (August 1999) 5 :1976-1981	
	47	CONNORS "Prodrugs in cancer chemotherapy" <i>Xenobiotica</i> (1986) 16 (10/11):975-988	
	48	CONNORS "Is there a future for cancer chemotherapy?" <i>Ann. Oncol.</i> (1996) 7 :445-452	
	49	CONNORS and KNOX "Prodrugs in cancer chemotherapy" <i>Stem Cells</i> (1995) 13 :501-511	
	50	COPUR et al. "Thymidylate synthase gene amplification in human colon cancer cell lines resistant to 5-fluorouracil" <i>Biochem. Pharmacol.</i> (1995) 49 (10):1419-1426	
	51	CRISP "Synthesis of 5-alkenyl-2'-deoxyuridines via organostannanes" <i>Synth. Commun.</i> (1989) 19 (11 & 12):2117-2123	
	52	DAGLE et al. "Targeted degradation of mRNA in <i>Xenopus</i> oocytes and embryos directed by modified oligonucleotides: Studies of An2 and Cyclin in embryogenesis" <i>Nucleic Acids Res.</i> (Aug. 25, 1990) 18 (16):4751-4757	
	53	DALE et al. "The synthesis and enzymatic polymerization of nucleotides containing mercury: Potential tools for nucleic acid sequencing and structural analysis" <i>PNAS USA</i> (August 1973) 70 (8):2238-2242	
	54	DAVISSON et al. "Expression of human thymidylate synthase in <i>Escherichia coli</i> " <i>J. Biol. Chem.</i> (1989) 264 (16):9145-9148	
	55	DAVISSON et al. "Expression of human thymidylate synthase in <i>Escherichia coli</i> . (Additions and corrections)" <i>J. Biol. Chem.</i> (Dec. 2, 1994) 269 (48):30740	

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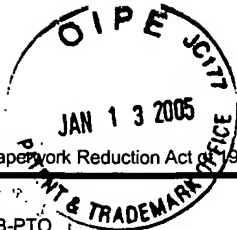
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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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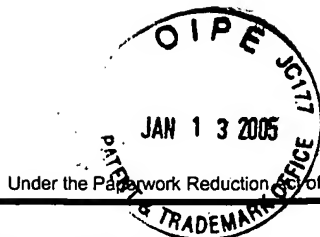
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	56	DeCLERCQ et al. "Nucleic acid related compounds. 40. Synthesis and biological activities of 5-alkynyluracil nucleosides" <i>J. Med. Chem.</i> (1983) 26 :661-666	
	57	DICKER et al. "Methotrexate resistance in an <i>in vivo</i> mouse tumor due to a non-active-site dihydrofolate reductase mutation" <i>PNAS USA</i> (Dec. 1993) 90 :11797-11801	
	58	DIRVIN et al. "The role of human glutathione S-transferase isoenzymes in the formation of glutathione conjugates of the alkylating cytostatic drug thiopeta" <i>Cancer Res.</i> (April 15, 1995) 55 :1701-1706	
	59	DORR and von HOFF "PALA" <i>In: Cancer Chemotherapy Handbook</i> , 2nd Edition, Appleton & Lange, Norwalk, Connecticut (1994) pp. 768-773	
	60	DUNN, III et al. "Solution of the conformation and alignment tensors for the binding of trimethoprim and its analogs to dihydrofolate reductase: 3D-quantitative structure-activity relationship study using molecular shape analysis, 3-way partial least-squares regression, and 3-way factor analysis" <i>J. Med. Chem.</i> (1996) 39 :4825-4832	
	61	DYER et al. "Nucleic Acids Chemistry: Improved and new synthetic procedures, methods, and techniques" Townsend, L. B. & Tipson, R. S., eds. (Wiley-Interscience, New York, NY) (1991) 4 :79-83	
	62	ECCLES et al. "Significance of the c- <i>erbB</i> family of receptor tyrosine kinases in metastatic cancer and their potential as targets for immunotherapy" <i>Invasion Metastasis</i> (1994-95) 14 (1-6):337-348	
	63	EISENBRAND et al. "An approach towards more selective anticancer agents" <i>J. Synthetic Organic Chem.</i> (1996) 10 :1246-1258	
	64	EVARD et al. "An <i>in vitro</i> nucleoside analog screening method for cancer gene therapy" <i>Cell Biol. Toxicol.</i> (1996) 12 :345-350	
	65	EVARD et al. "An <i>in vitro</i> nucleoside analog screening method for cancer gene therapy" <i>Chem. Abstracts</i> (1996) 126 :Abstract No. 26514	
	66	FARQUHAR et al. "Synthesis and antitumor evaluation of bis[(pivaloyloxy)methyl] 2'-deoxy-5-fluorouridine 5'-monophosphate (FdUMP): A strategy to introduce nucleotides into cells" <i>J. Med. Chem.</i> (1994) 37 :3902-3909	
	67	FARQUHAR et al. "5'-[4-pivaloyloxy]-1,3,2-dioxaphosphorinan-2-yl]-2'-deoxy-5-fluorouridine: A membrane-permeating prodrug of 5-fluoro-2'-deoxyuridylic acid (FdUMP)" <i>J. Med. Chem.</i> (1995) 38 :488-495	
	68	FARRUGIA et al. "Single agent infusional 5-fluorouracil is not effective second-line therapy after raltitrexed (Tomudex®) in advanced colorectal cancer" <i>Eur. J. Cancer</i> (1998) 34 (7):987-991	
	69	FELIP et al. "Overexpression of c- <i>erbB</i> -2 in epithelial ovarian cancer" <i>Cancer</i> (Apr. 15, 1995) 75 (8):2147-2152	
	70	FINCH "Radiation Injury" <i>In: Harrison's Principles of Internal Medicine</i> , 12th Edition, McGraw-Hill, Inc., New York, NY (1991) 2204-2208	

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First Named Inventor	H. Michael SHEPARD
Art Unit	1615
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	71	FINER-MOORE et al. "Refined structures of substrate-bound and phosphate-bound thymidylate synthase from <i>Lactobacillus casei</i> " <i>J. Mol. Biol.</i> (1993) 232:1101-1116	
	72	FINER-MOORE et al. "Crystal structure of thymidylate synthase from T4 phage: Component of a deoxynucleoside triphosphate-synthesizing complex" <i>Biochemistry</i> (1994) 33:15459-15468	
	73	FIRESTONE et al. "A comparison of the effects of antitumor agents upon normal human epidermal keratinocytes and human squamous cell carcinoma" <i>J. Invest. Dermatol.</i> (May 1990) 94(5):657-661	
	74	FIRESTONE et al. "A comparison of the effects of antitumor agents upon normal human epidermal keratinocytes and human squamous cell carcinoma" <i>Chem Abstracts</i> (1990) 113:Abstract No. 254	
	75	FREED et al. "Evidence for acyloxymethyl esters of pyrimidine 5'-deoxyribonucleotides as extracellular sources of active 5'-deoxyribonucleotides in cultured cells" <i>Biochem. Pharmacol.</i> (1989) 38(19):3193-3198	
	76	FRIES et al. "Synthesis and biological evaluation of 5-fluoro-2'-deoxyuridine phosphoramidate analogs" <i>J. Med. Chem.</i> (1995) 38(14):2672-2680	
	77	GARRETT et al. "Thymidylate synthetase. Catalysis of dehalogenation of 5-bromo- and 5-iodo-2'-deoxyuridylate" <i>Biochemistry</i> (1979) 18(13):2798-2804	
	78	GOLDBERG et al. "Novel cell imaging techniques show induction of apoptosis and proliferation in mesothelial cells by asbestos" <i>Am. J. Respir. Cell Mol. Biol.</i> (1997) 17:265-271	
	79	GOLDSTEIN and BROWN "Genetic aspects of disease" In: <i>Harrison's Principles of Internal Medicine</i> , 12th Edition, McGraw-Hill, Inc., New York, NY (1991) pp. 21-76	
	80	GOODWIN et al. "Incorporation of alkylthiol chains at C-5 of deoxyuridine" <i>Tetrahedron Lett.</i> (1993) 34(35):5549-5552	
	81	GOTTESMANN et al. "Genetic analysis of the multidrug transporter" <i>Annu. Rev. Genet.</i> (1995) 29:607-649	
	82	GRAHAM et al. "DNA duplexes stabilized by modified monomer residues: Synthesis and stability" <i>J. Chem. Soc. Perkin Trans.</i> (1998) 1:1131-1138	
	83	GROS et al. "Isolation and expression of a complementary DNA that confers multidrug resistance" <i>Nature</i> (Oct. 1986) 323:728-731	
	84	GROS et al. "Mammalian multidrug resistance gene: Complete cDNA sequence indicates strong homology to bacterial transport proteins" <i>Cell</i> (Nov. 7, 1986) 47:371-380	
	85	GROS et al. "Isolation and characterization of DNA sequences amplified in multidrug-resistant hamster cells" <i>PNAS USA</i> (Jan. 1986) 83:337-341	
	86	GUDKOV et al. "Cloning and characterization of DNA sequences amplified in multidrug-resistant djungarian hamster and mouse cells" <i>Somat. Cell Mol. Genet.</i> (1987) 13(6):609-619	

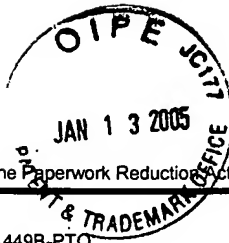
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Sheet 7 of 15

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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	87	HANDFIELD and LEVESQUE "Strategies for isolation of in vitro expressed genes from bacteria" <i>FEMS Microbiol. Revs.</i> (1999) 23:69-91	
	88	HAKIMELAH I et al. "Design, synthesis and structure-activity relationship of novel dinucleotide analogs as agents against herpes and human immunodeficiency viruses" <i>J. Med. Chem.</i> (Nov. 10, 1995) 38(23):4648-4659	
	89	HARDY et al. "Atomic structure of thymidylate synthase: Target for rational drug design" <i>Science</i> (Jan. 23, 1987) 235:448-455	
	90	HARRIS et al. "Adenovirus-mediated p53 gene transfer inhibits growth of human tumor cells expressing mutant p53 protein" <i>Cancer Gene Ther.</i> (1996) 3(2):121-130	
	91	HASHIMOTO et al. "Simple separation of tritiated water and [³ H]deoxyuridine from [5- ³ H]deoxyuridine 5'-monophosphate in the thymidylate synthase assay" <i>Anal. Biochem.</i> (1987) 167:340-346	
	92	HEIDELBERGER et al. "Fluorinated pyrimidines and their nucleosides" <i>Adv. Enzymol. Related Areas Mol. Biol.</i> (1983) 54:57-119	
	93	HENGSTSCHLÄGER et al. "The role of p16 in the E2F-dependent thymidine kinase regulation" <i>Oncogene</i> (1996) 12:1635-1643	
	94	HOBBS, Jr. "Palladium-catalyzed synthesis of alkynylamino nucleosides. A universal linker for nucleic acids" <i>J. Org. Chem.</i> (1989) 54:3420-3422	
	95	HORIKOSHI et al. "Quantitation of thymidylate synthase, dihydrofolate reductase, and DT-diaphorase gene expression in human tumors using the polymerase chain reaction" <i>Cancer Res.</i> (Jan. 1, 1992) 52:108-116	
	96	HORN et al. "Fialuridine is phosphorylated and inhibits DNA synthesis in isolated rat hepatic mitochondria" <i>Antivir. Res.</i> (1997) 34:71-74	
	97	HOSTETLER et al. "Enhanced oral absorption and antiviral activity of 1-O-octadecyl-sn-glycero-3-phospho-acyclovir and related compounds in hepatitis B virus infection, in vitro" <i>Biochem. Pharmacol.</i> (1997) 53:1815-1822	
	98	HOUBE, et al. "Detection of thymidylate synthase gene expression levels in formalin-fixed paraffin embedded tissue by semiquantitative, nonradioactive reverse transcriptase polymerase chain reaction" <i>Tumor Biol.</i> (1997) 18:53-68	
	99	HSAIO and BARDOS "Synthesis of 5'-thymidyl bis(1-aziridinyl)phosphinates as antineoplastic agents" <i>J. Med. Chem.</i> (1981) 24:887-889	

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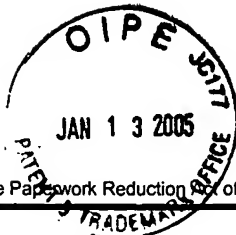
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Sheet 8 of 15

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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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	100	HU et al. "Determination of absorption characteristics of AG337, a novel thymidylate synthase inhibitor, using a perfused rat intestinal model" <i>J. Pharmaceutical Sciences</i> (July 1998) 87(7) :886-890	
	101	HUANG and SANTI "Active site general catalysts are not necessary for some proton transfer reactions of thymidylate synthase" <i>Biochemistry</i> (1997) 36 :1869-1873	
	102	HUDZIAK et al. "Amplified expression of the HER2/ERBB2 oncogene induces resistance to tumor necrosis factor α in NIH 3T3 cells" <i>PNAS USA</i> (July 1988) 85 :5102-5106	
	103	HUDZIAK et al. "Selection for transformation and met protooncogene amplification in NIH 3T3 fibroblasts using tumor necrosis factor α " <i>Cell Growth & Differentiation</i> (1990) 1 :129-134	
	104	HUSAK et al. "Pseudotumour of the tongue caused by herpes simplex virus type 2 in an HIV-1 infected immunosuppressed patient" <i>Brit. J. Dermatol.</i> (1998) 139 :118-121	
	105	IMAI et al. "Studies on phosphorylation. IV. Selective phosphorylation of the primary hydroxyl group in nucleosides" <i>J. Org. Chem.</i> (June 1969) 34(6) :1547-1550	
	106	JACKMAN et al. "Quinazoline-based thymidylate synthase inhibitors: Relationship between structural modifications and polyglutamation" <i>Anti-Cancer Drug Design</i> (1995) 10 :573-589	
	107	JOHNSTON et al. "Production and characterization of monoclonal antibodies that localize human thymidylate synthase in the cytoplasm of human cells and tissue" <i>Cancer Res.</i> (Dec. 15, 1991) 51 :6668-6676	
	108	JOHNSTON "The role of thymidylate synthase expression in prognosis and outcome of adjuvant chemotherapy in patients with rectal cancer" <i>J. Clin. Oncol.</i> (Dec. 1994) 12(12) :2640-2647	
	109	KAMB "Cyclin-dependent kinase inhibitors and human cancer" <i>Curr. Top. Microbiol. Immunol.</i> (1998) 227 :139-148	
	110	KASHANI-SABET et al. "Detection of drug resistance in human tumors by <i>in vitro</i> enzymatic amplification" <i>Cancer Res.</i> (Oct. 15, 1988) 48 :5775-5778	
	111	KATKI et al. "Prodrugs activated by thymidylate synthase: Treatment of tumors with deoxyuridine analogs" <i>Proc. Amer. Assoc. Cancer Res.</i> (March 1998) 39 :Abstract No. 1275	
	112	KLECKER et al. "Toxicity, metabolism, DNA incorporation with lack of repair, and lactate production for 1-(2'-fluoro-2'-deoxy- β -D-arabinofuranosyl)-5-iodouracil in U-937 and MOLT-4 cells" <i>Mol. Pharmacol.</i> (1994) 46 :1204-1209	
	113	KNIGHTON et al. "Structure of and kinetic channelling in bifunctional dihydrofolate reductase-thymidylate synthase" <i>Nature Struct. Biol.</i> (March 1994) 1(3) :186-194	
	114	KOBAYASHI et al. "Effect of hammerhead ribozyme against human thymidylate synthase on the cytotoxicity of thymidylate synthase inhibitors" <i>Jpn. J. Cancer Res.</i> (Nov. 1995) 86 :1014-1018	

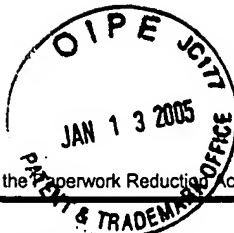
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Sheet 9 of 15

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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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	115	KODAMA et al. "Evaluation of antiherpetic compounds using a gastric cancer cell line: Pronounced activity of BVDU against herpes simplex virus replication" <i>Microbiol. Immunol.</i> (1996) 40(5) :359-363	
	116	KUMAR et al. "Synthesis and biological evaluation of some cyclic phosphoramidate nucleoside derivatives" <i>J. Med. Chem.</i> (Sept. 1990) 33(9) :2368-2374	
	117	KUNDU et al. "Synthesis and biological activities of [E]-5-(2-acylviny) uracils" <i>Eur. J. Med. Chem.</i> (1993) 28 :473-479	
	118	KUROBOSHI and HIYAMA "A facile synthesis of difluoromethylene compounds by oxidative fluorodesulfurization of dithioacetals using tetrabutylammonium dihydrogentrifluoride and N-halo compounds" <i>SYNLETT</i> (Dec. 1991) pp. 909-910	
	119	KUROBOSHI and HIYAMA "A facile synthesis of α, α -difluoroalkyl ethers and carbonyl fluoride acetals by oxidative desulfurization-fluorination" <i>SYNLETT</i> (April 1994) pp. 251-252	
	120	LAM "Application of combinatorial library methods in cancer research and drug discovery" <i>Anti-Cancer Drug Design</i> (1997) 12 :145-167	
	121	LARSSON et al. "Thymidylate synthase in advanced gastrointestinal and breast cancers" <i>Acta Oncologica</i> (1996) 35(4) :469-472	
	122	LASIC "Doxorubicin in sterically stabilized liposomes" <i>Nature</i> (Apr. 11, 1996) 380 :561-562	
	123	LEWIS et al. "A serum-resistant cytofection for cellular delivery of antisense oligodeoxynucleotides and plasmid DNA" <i>PNAS USA</i> (April 1996) 93 :3176-3181	
	124	LI et al. "Lack of functional retinoblastoma protein mediates increased resistance to antimetabolites in human sarcoma cell lines" <i>PNAS USA</i> (Oct. 1995) 92 :10436-10440	
	125	LIN et al. "Rhenium188 hydroxyethylidene diphosphonate: a new generator-produced radiotherapeutic drug of potential value for the treatment of bone metastases" <i>Eur. J. Nucl. Med.</i> 24(6) :590-595 (June 1997)	
	126	LIVAK et al. "Detection of single base differences using biotinylated nucleotides with very long linker arms" <i>Nucl. Acids Res.</i> (1992) 20(18) :4831-4837	
	127	LIVINGSTONE et al. "Altered cell cycle arrest and gene amplification potential accompany loss of wild-type p53" <i>Cell</i> (Sept. 18, 1992) 70 :923-935	
	128	LÖNN et al. "Higher frequency of gene amplification in breast cancer patients who received adjuvant chemotherapy" <i>Cancer</i> (Jan. 1, 1996) 77(1) :107-112	
	129	LOVEJOY et al. "Animal models and the molecular pathology of cancer" <i>J. Pathol.</i> (1997) 181 :130-135	

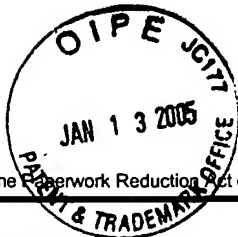
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Sheet 10 of 15

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First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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	130	MASTERS and ALTARDI "The nucleotide sequence of the cDNA coding for the human dihydrofolic acid reductase" <i>Gene</i> (1983) 21:59-63	
	131	McGUIGAN et al. "Certain phosphoramidate derivatives of dideoxy uridine (ddU) are active against HIV and successfully by-pass thymidine kinase" <i>FEBS Lett</i> (1994) 351:11-14	
	132	McGUIGAN "Aryl phosphate derivatives of AZT retain activity against HIV1 in cell lines which are resistant to the action of AZT" <i>Antivir. Res.</i> (1992) 17:311-321	
	133	McGUIGAN "Intracellular delivery of bioactive AZT nucleotides by aryl phosphate derivatives of AZT" <i>J. Med. Chem.</i> (1993) 36:1048-1052	
	134	McGUIGAN "Aryl phosphoramidate derivatives of d4T have improved anti-HIV efficacy in tissue culture and may act by the generation of a novel intracellular metabolite" <i>J. Med. Chem.</i> (1996) 39:1748-1753	
	135	McGUIGAN et al. "Synthesis and evaluation of some masked phosphate esters of the anti-herpetic drug 882C (netivudine) as potential antiviral agents" <i>Antivir. Chem. Chemoth.</i> (1998) 9:233-243	
	136	McINTEE "Probing the mechanism of action and decomposition of amino acid phosphomonoester amidates of antiviral nucleoside prodrugs" <i>J. Med. Chem.</i> (1997) 40:3323-3331	
	137	McKAY et al. "Broad spectrum aminoglycoside phosphotransferase type III from <i>Enterococcus</i> : Overexpression, purification, and substrate specificity" <i>Biochemistry</i> (1994) 33:6936-6944	
	138	MEAD et al. "Pharmacologic aspects of homofolate derivatives in relation to amethopterin-resistant murine leukemia" <i>Cancer Res.</i> (Nov. 1966) 26(1):2374-2379	
	139	MEDEN et al. "Elevated serum levels of a c-erbB-2 oncogene product in ovarian cancer patients and in pregnancy" <i>J. Cancer Res. Clin. Oncol.</i> (1994) 120:378-381	
	140	MEIER et al. "ADA-bypass by lipophilic cyclosal-ddAMP pro-nucleotides a second example of the efficiency of the cyclosal-concept" <i>Bioorg. Med. Chem. Lett.</i> (1997) 7(12):1577-1582	
	141	MEIER et al. "Cyclic saligenyl phosphotriesters of 2',3'-dideoxy-2',3'-dideoxythymidine (d4T) - a new pro-nucleotide approach" <i>Bioorg. Med. Chem. Lett.</i> (1997) 7(2):99-104	
	142	MEIER et al. "CycloSal-pro-nucleotides: The design and biological evaluation of a new class of lipophilic nucleotide prodrugs" <i>Int'l. Antiviral News</i> (1997) 5(10):183-185	
	143	MELTON et al. "Antibody-directed enzyme prodrug therapy (ADEPT). Review article" <i>Drugs of the Future</i> (1996) 21(2):167-181	
	144	MELTON and SHERWOOD "Antibody-enzyme conjugates for cancer therapy" <i>J. Natl. Cancer Inst.</i> (Feb. 21, 1996) 88(3/4):153-165	
	145	MIDGLEY and KERR "Colorectal cancer" <i>Lancet</i> (Jan 30, 1999) 353:391-399	

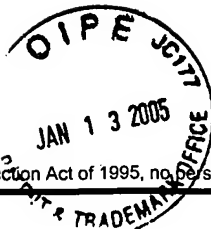
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Sheet 11 of 15

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First Named Inventor	H. Michael SHEPARD
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	146	MONTFORT and WEICHSEL "Thymidylate synthase: Structure, inhibition, and strained conformations during catalysis" <i>Pharmacol. Ther.</i> (1997) 76(1-3):29-43	
	147	MONTGOMERY et al., "Phosphonate analogue of 2'-deoxy-5-fluorouridylic acid" <i>J. Med. Chem.</i> (1979) 22(1):109-111	
	148	MORGAN et al. "Tumor efficacy and bone marrow-sparing properties of TER286, a cytotoxin activated by glutathione S-transferase" <i>Cancer Res.</i> (June 15, 1998) 58:2568-2575	
	149	MORRISON & BOYD (eds) <i>Organic Chemistry</i> , Allyn & Bacon, Inc., Boston, MA, (1973) only pages 1170-1180 supplied	
	150	MURAKAMI and SEKIYA "Accumulation of genetic alterations and their significance in each primary human cancer and cell line" <i>Mutat. Res.</i> (1998) 400(1-2):421-437	
	151	NAESENS et al. "Anti-HIV activity and metabolism of phosphoramidate derivatives of D4T-MP with Variations in the amino acid moiety" Poster Session 1, <u>The Tenth International Conference on Antiviral Research</u> , Hotel Nikko, Atlanta, GA April 6-11, 1997; published in <i>Antivir. Research</i> (April 1997) 34(2):A54 (Abstract 40)	
	152	NAKANO et al., "Critical role of phenylalanine 34 of human dihydrofolate reductase in substrate and inhibitor binding and in catalysis" <i>Biochemistry</i> (1994) 33:9945-9952	
	153	NICHOL and HAKALA "Comparative growth-inhibitory activity of homofolic acid against cell lines sensitive and resistant to amethopterin" <i>Biochem. Pharmacol.</i> (Oct. 1966) 15(10):1621-1623	
	154	NOOTER and STOTER "Molecular mechanisms of multidrug resistance in cancer chemotherapy" <i>Path. Res. Pract.</i> (1996) 192:768-780	
	155	OSAKI et al. "5-fluorouracil (5-FU) induced apoptosis in gastric cancer cell lines: Role of the p53 gene" <i>Apoptosis</i> (1997) 2:221-226	
	156	OSHIRO et al. "Genotoxic properties of (E)-5-(2-bromovinyl)-2'-deoxyuridine (BVDU)" <i>Fundam. Appl. Toxicol.</i> (1992) 18:491-498	
	157	PARDO et al. "The incorporation of deoxyuridine monophosphate in DNA increases the sister-chromatid exchange yield" <i>Exp Cell Res.</i> (1987) 168:507-517	
	158	PARK et al. "Chemotherapy efficacy of E-5-(2-bromovinyl)-2'-deoxyuridine for orofacial infection with herpes simplex virus type 1 in mice" <i>J. Infectious Diseases</i> (June 1982) 145(6):909-913	
	159	PERRY et al. "Plastic adaptation toward mutations in proteins: Structural comparison of thymidylate synthases" <i>Proteins</i> (1990) 8:315-333	
	160	PESTALOZZI et al. "Prognostic importance of thymidylate synthase expression in early breast cancer" <i>J. Clin. Oncol.</i> (May 1997) 15(5):1923-1931	

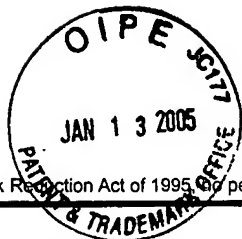
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Sheet 12 of 15

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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

NON PATENT LITERATURE DOCUMENTS

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	161	PETERS et al. "Thymidylate synthase and drug resistance" <i>Eur. J. Can.</i> (1995) 31A(7/8) :1299-1305	
	162	PHELPS et al. "Synthesis and biological activity of 5-fluoro-2'-deoxyuridine 5'-phosphorodiamidates" <i>J. Med. Chem.</i> (1980) 23 :1229-1232	
	163	PUPA et al. "The extracellular domain of the c-erbB-2 oncoprotein is released from tumor cells by proteolytic cleavage" <i>Oncogene</i> (1993) 8 :2917-2923	
	164	ROBERTS "An isotopic assay for thymidylate synthetase" <i>Biochemistry</i> (Nov. 1966) 5(11) :3546-3548	
	165	ROBINS and BARR "Nucleic acid related compounds. 31. Smooth and efficient palladium-copper catalyzed coupling of terminal alkynes with 5-iodouracil nucleosides" <i>Tetrahedron Lett.</i> (1981) 22 :421-424	
	166	ROBINS et al. "Nucleic acid related compounds. 38. Smooth and high-yield iodination and chlorination at C-5 of uracil bases and p-toluy-protected nucleosides" <i>Can. J. Chem.</i> (1982) 60 :554-557	
	167	ROBINS and BARR "Nucleic acid compounds. 39. Efficient conversion of 5-iodo to 5-alkynyl and derived 5-substituted uracil bases and nucleosides" <i>J. Org. Chem.</i> (1983) 48 :1854-1862	
	168	RODE "Specificity of thymidylate synthase inactivation by 4,5-bisubstituted dUMP analogues" <i>M. Nencki Inst. Exp. Biol., Acta Biochimica Polonica</i> (1993) 40(3) :363-368	
	169	ROGULSKI et al. "Glioma cells transduced with an <i>Escherichia coli</i> CD/HSV-1 TK fusion gene exhibit enhanced metabolic suicide and radiosensitivity" <i>Hum. Gene Ther.</i> (Jan. 1, 1997) 8 :73-85	
	170	RONINSON et al. "Amplification of specific DNA sequences correlates with multi-drug resistance in Chinese hamster cells" <i>Nature</i> (June 14, 1984) 309 :626-628	
	171	RUTH and BERGSTROM "C-5 substituted pyrimidine nucleosides. 1. Synthesis of C-5 allyl, propyl, and propenyl uracil and cytosine nucleosides via organopalladium intermediates" <i>J. Org. Chem.</i> (1978) 43(14) :2870-2876	
	172	SANTI "Perspectives on the design and biochemical pharmacology of inhibitors of thymidylate synthetase" <i>J. Med. Chem.</i> (Feb. 1980) 23(2) :103-111	
	173	SASTRY et al. "Membrane-permeable dideoxyuridine 5'-monophosphate analogue inhibits human immunodeficiency virus infection" <i>Mol. Pharmacol.</i> (1992) 41 :441-445	
	174	SATYAM et al. "Design, synthesis, and evaluation of latent alkylating agents activated by glutathione S-transferase" <i>J. Med. Chem.</i> (1996) 39 :1736-1747	
	175	SAUTER et al. "Heterogeneity of erbB-2 gene amplification in bladder cancer" <i>Cancer Res.</i> (May 15, 1993) 53 :2199-2203	

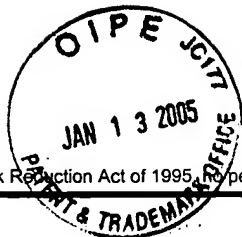
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Sheet 13 of 15

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Application Number	10/048,033
Filing Date	November 28, 2002
First Named Inventor	H. Michael SHEPARD
Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	NB 2006.01

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	176	SCHIFFER et al. "Crystal structure of human thymidylate synthase: A structural mechanism for guiding substrates into the active site" <i>Biochemistry</i> (1995) 34 :16279-16287	
	177	SCHIMKE "Gene amplification in cultured cells" <i>J. Biol. Chem.</i> (May 5, 1988) 263 (13):5989-5992	
	178	SCHULTZ et al. "Role of thymidylate synthase in the antitumor activity of the multitargeted antifolate, LY231514" <i>Anticancer Res.</i> (1999) 19 :437-444	
	179	SEGOVIA "Leishmania gene amplification: A mechanism of drug resistance" <i>Ann. Trop. Med. Parasit.</i> (1994) 88 (2):123-130	
	180	SHEPARD and LEWIS "Resistance of tumor cells to tumor necrosis factor" <i>J. Clin. Immunol.</i> (1988) 8 (5):333-341	
	181	SIMON and SCHINDLER "Cell biological mechanisms of multidrug resistance in tumors" <i>PNAS USA</i> (April 1994) 91 :3497-3504	
	182	SINGH et al. "Studies on the preparation and isomeric composition of ¹⁸⁶ Re- and ¹⁸⁸ Re-pentavalent rhenium dimercaptosuccinic acid complex" <i>Nucl. Med. Commun.</i> (1993) 14 :197-203	
	183	SLAMON et al. "Human breast cancer: Correlation of relapse and survival with amplification of the HER-2/ <i>neu</i> oncogene" <i>Science</i> (Jan. 9, 1987) 235 :177-182	
	184	SLAMON et al. "Studies of the HER-2/ <i>neu</i> proto-oncogene in human breast and ovarian cancer" <i>Science</i> (May 12, 1989) 244 :707-712	
	185	SLANSKY and FARNHAM "Transcriptional regulation of the dihydrofolate reductase gene" <i>BioEssays</i> (1996) 18 (1):55-62	
	186	SMITH et al. "Regulation and mechanisms of gene amplification" <i>Phil. Trans. R. Soc. Lond. B</i> (1995) 347 :49-56	
	187	SNYDMAN et al. "Analysis of trends in antimicrobial resistance patterns among clinical isolates of <i>Bacteroides fragilis</i> group species from 1990 to 1994" <i>Clin. Infect. Dis.</i> (1996) 23 (Suppl. 1):S54-S65	
	188	STASCHKE et al. "The in vitro anti-hepatitis B virus activity of FIAU [1-(2'-deoxy-2'-fluoro-1-β-D-arabinofuranosyl-5-iodo)uracil] is selective, reversible, and determined, at least in part, by the host cell" <i>Antiviral Res.</i> (1994) 23 :45-61	
	189	STOUT et al. "Structure-based design of inhibitors specific for bacterial thymidylate synthase" <i>Biochemistry</i> (1999) 38 :1607-1617	
	190	STÜHLINGER et al. "Clinical therapy and HER-2 oncogene amplification in breast cancer: Chemo vs radiotherapy" <i>J. Steroid Biochem. Molec. Biol.</i> (1994) 49 (1):39-42	
	191	SUGARMAN et al. "Recombinant human tumor necrosis factor-α: Effects on proliferation of normal and transformed cells in vitro" <i>Science</i> (Nov. 22, 1985) 230 (4728):943-945	

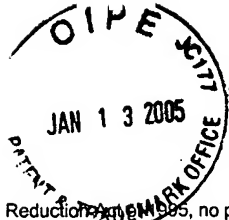
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	192	SUKUMAR and BARBACID "Specific patterns of oncogene activation in transplacentally induced tumors" <i>PNAS USA</i> (Jan. 1990) 87:718-722	
	193	TAKEISHI et al. "Nucleotide sequence of a functional cDNA for human thymidylate synthase" <i>Nucl. Acid Res.</i> (1985) 13(6):2035-2043	
	194	TANNOCK "Treatment of cancer with radiation and drugs" <i>J. Clin. Oncol.</i> (Dec. 1996) 14(12):3156-3174	
	195	TENNANT et al. "Antiviral activity and toxicity of fialuridine in the woodchuck model of hepatitis B virus infection" <i>Hepatology</i> (July 1998) 28(1):179-191	
	196	TOLSTIKOV et al. "Synthesis and DNA duplex stabilities of oligonucleotides containing C-5-(3-methoxypropynyl)-2'-deoxyuridine residues" <i>Nucleos. Nucleot.</i> (1997) 16(3):215-225	
	197	TOWNSEND (eds), <i>Chemistry of Nucleosides and Nucleotides</i> , Vol. 3, Plenum Press, New York, NY (1974) only Table of Contents, Bibliography, pages 529-535 and Index pp. 537-552 supplied	
	198	TROUTNER "Chemical and physical properties of radionuclides" <i>Nucl. Med. Biol.</i> (1987) 14(3):171-176	
	199	UBEDA and HABENER "The large subunit of the DNA replication complex C (DSEB/RF-C140) cleaved and inactivated by Caspace-3 (CPP32/YAMA) during fas-induced apoptosis" <i>J. Biol. Chem.</i> (Aug. 1, 1997) 272(31):19562-19568	
	200	VALETTE et al. "Decomposition pathways and <i>in vitro</i> HIV inhibitory effects of isodda pronucleotides: Toward a rational approach for intracellular delivery of nucleoside 5'-monophosphates" <i>J. Med. Chem.</i> (1996) 39:1981-1990	
	201	van de VIJVER et al. "Amplification of the <i>neu</i> (<i>c-erbB-2</i>) oncogene in human mammary tumors is relatively frequent and is often accompanied by amplification of the linked <i>c-erbA</i> oncogene" <i>Mol. Cell. Biol.</i> (May 1987) 7(5):2019-2023	
	202	van LAAR et al. "Comparision of 5-fluoro-2'-deoxyuridine with 5-fluorouracil and their role in the treatment of colorectal cancer" <i>European J. Cancer</i> (1998) 34(3):296-306	
	203	VOLM et al. "Relationship of inherent resistance to doxorubicin, proliferative activity and expression of P-glycoprotein 170, and glutathione S-transferase- π in human lung tumors" <i>Cancer</i> (Aug. 15, 1992) 70(4):764-769	
	204	WAHBA and FRIEDKIN "Direct spectrophotometric evidence for the oxidation of tetrahydrofolate during the enzymatic synthesis of thymidylate" <i>J. Biol. Chem.</i> (Mar. 1961) 236(3):C11-C12	
	205	WANG et al. "Identification and characterization of Ich-3, a member of the interleukin-1 β converting enzyme (ICE)/Ced-3 family and an upstream regulator of ICE" <i>J. Biol. Chem.</i> (Aug. 23, 1996) 271(34):20580-20587	

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